OIPE JC25 JUL 06 2005 PATENT & TRADEMARK OFFICE

Docket No. 242713US2CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yasuo YAMAGUCHI

SERIAL NO: 10/684,437 GAU: 2826

FILED: October 15, 2003 EXAMINER: PERT, EVAN T.

FOR: SEMICONDUCTOR DEVICE WITH IMPROVED RADIATION PROPERTY

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Mitsubishi Denki Kabushiki Kaisha is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 012207, frame(s) 0390.

Mitsubishi Denki Kabushiki Kaisha hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 09/964,462, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from application Serial No. 09/964,462, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Mitsubishi Denki Kabushiki Kaisha does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 09/964,462 in the event that any said issued patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

7/6/05
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